

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

ANGELA MONEYMAKER,

Plaintiff,

v.

HOWMEDICA OSTEONICS CORP.,

Defendant.

Case No.: 3:15-cv-00029-JAG

**HOWMEDICA OSTEONICS CORP.'S MOTION
TO DISMISS PLAINTIFF'S FIRST AMENDED COMPLAINT**

Defendant Howmedica Osteonics Corp., by counsel, moves pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure to dismiss the First Amended Complaint. All claims in the First Amended Complaint must be dismissed with prejudice because they fail to state a claim for which relief may be granted. In addition, all claims in the First Amended Complaint must be dismissed with prejudice because they are barred by the applicable statute of limitations.

The Grounds for relief are further amplified in the accompanying Memorandum of Law in Support of Defendant Howmedica Osteonics Corp.'s Motion to Dismiss First Amended Complaint.

Dated: the 22nd day of April, 2015

/s/ Robert E. Scully

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CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of April, 2015, a true and correct copy of the foregoing pleading or paper was served using the Court's CM/ECF system, with electronic notification of such filing to the following counsel of record:

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